

Craig K. Perry (NV Bar No. 03786)
 CRAIG K. PERRY & ASSOCIATES
 8010 W. Sahara Avenue, Suite 260
 Las Vegas, Nevada 89117
 Tel: (702) 228-4777
 cperry@craigperry.com
Attorney for Plaintiff

Jordan T. Smith (NV Bar No. 12097)
 PISANELLI BICE PLLC
 400 South 7th, Suite 300
 Las Vegas, NV 89101
 Tel: (702) 214-2100
 tlb@pisanellibice.com
 jts@pisanellibice.com
Attorneys for Defendant

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

KIRBY SPENCER)	No.: 14-cv-01646-RFB-CWH
)	
Plaintiff,)	
vs.)	STIPULATION AND
)	[PROPOSED] ORDER
)	TO EXTEND DISCOVERY
)	DEADLINE (FIRST REQUEST)
KOHL'S DEPARTMENT STORES, INC.,)	
)	
Defendant.)	
)	Hon. Richard F. Boulware, II
)	
)	Magistrate Judge Carl W. Hoffman
)	

Plaintiff Kirby Spencer ("Plaintiff"), by and through his attorneys Craig K. Perry & Associates and McGuire Law, P.C., and Defendant Kohl's Department Stores, Inc. ("Defendant"), by and through its attorneys Pisanelli Bice PLLC and Kelley Drye & Warren LLP, pursuant to Local Rules 6-1, 6-2 and 7-1, hereby stipulate as follows:

1. On February 5, 2015, Plaintiff filed his Motion for Leave to File an Amended Complaint ("Motion for Leave"). (Dkt. 20.) Plaintiff's Motion for Leave has been fully

1 briefed since March 20, 2015, but the Court has not issued any Order with respect to the
2 Motion for Leave.

3 2. This Court's January 29, 2015 Scheduling Order set July 28, 2015 as the
4 deadline for completing fact discovery, and August 27, 2015 as the dispositive motion
5 deadline. (Dkt. 19.)

6 3. On July 2, 2015, Plaintiff filed a Motion to Extend the Discovery Deadline
7 ("Motion to Extend"), seeking to extend the fact discovery deadline until after the Court rules
8 on the outstanding Motion for Leave or, alternatively, to extend the discovery deadline by
9 sixty (60) days.

10 4. Counsel for the Parties have met and conferred and believe that an extension
11 of the fact discovery deadline is necessary in order for the Parties to finish producing
12 documents, schedule depositions, and otherwise complete discovery.

13 5. The Parties further believe that, because the Motion for Leave remains
14 outstanding, from the standpoint of judicial efficiency and to avoid duplicative discovery and
15 motion practice, it would be in the best interest of the Parties, the Court, and of the litigation
16 generally to extend the fact discovery deadline by no less than sixty (30) days, to no earlier
17 than August 27, 2015.

18 6. The Parties also believe that the dispositive motion deadline should remain
19 thirty (30) days after the discovery deadline, with the date of such dispositive motion
20 deadline being extended in accordance with the extension of the discovery motion deadline.

21 7. This is the Parties' first request for extension of the discovery deadline.

22 8. This Stipulation is made in good faith and not for the purpose of delay or for
23 any other improper purpose. Other than the dispositive motion deadline discussed above, no
24 other date or deadline would be impacted by the extension requested in this Stipulation.

25 9. Plaintiff will withdraw his Motion for Extension within two business days of
26 the filing of this Stipulation.

1 WHEREFORE, Plaintiff Kirby Spencer and Defendant Kohl's Department Stores,
2 Inc. hereby stipulate and respectfully request that the Court enter an Order: (i) extending the
3 fact discovery deadline by at least thirty (30) days, until at least August 27, 2015; and (ii)
4 similarly extending the dispositive motion deadline to a date thirty (30) days after the
5 discovery deadline.

6
7 Dated: July 20, 2015

Respectfully submitted,
MCGUIRE LAW, P.C.
By: /s/ Evan M. Meyers
Evan M. Meyers (admitted *pro hac vice*)
Attorneys for Plaintiff Kirby Spencer

10
11 Dated: July 20, 2015

PISANELLI BICE PLLC
By: /s/ Jordan T. Smith
Jordan T. Smith (Nev. Bar No. 12097)
Attorneys for Defendant
Kohl's Department Stores, Inc.

14
15
16 Pursuant to Stipulation, **IT IS SO ORDERED.**

17 Dated: _____

By: _____
Magistrate Judge Carl W. Hoffman
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on July 20, 2015, I electronically filed the forgoing *Stipulation and [Proposed] Order to Extend Discovery Deadline* with the Clerk of the Court using the CM/ECF system. Notice of this filing is sent to all counsel of record by operation of the Court' electronic filing system. Parties may access this filing through the Court's system.

/s/ Kimberly Peets